



Zoning Bylaw Working Group

Date: March 4, 2020

Time: 8:30 AM to 9:30 AM

Location: Town Hall Annex, First Floor Conference Room

Minutes

Present: Pam Heidell, Charlie Kalauskas, Jenny Raitt, Stephen Revilak, David Watson, Ralph Willmer, John Worden, Erin Zwirko.

Absent: Mike Byrne, Adam Chapdelaine, Christian Klein.

Erin and Jenny opened the meeting explaining that the purpose of the meeting was to discuss the citizen petitions that are under consideration by the ARB. Erin noted that the ARB is in the process of holding their hearings on the Warrant Articles, and the staff and the ARB would value the Working Group's opinions on the Articles. Erin noted that she does not have more detailed information than what was provided in the February 13th document summarizing the Zoning Bylaw Amendment Warrant Articles.

On Article 39, which would amend the upper story building step back, the Working Group expressed differing opinions on whether the bylaw section should be amended. There was some discussion about the similarities to the ARB's 2019 Warrant Article and projects that are currently under review by the ARB and how this Article might affect that review. A key difference is providing the ARB flexibility in applying the requirements. There was also discussion about consistency in referring to step backs and setbacks. Erin noted that the staff discovered inconsistencies with the adoption of this bylaw section in 2016 and the text that currently appears in the Zoning Bylaw. Erin noted that Town Counsel is reviewing, but it may be important to address through a substitute motion.

For Article 37, on accessory dwelling units, the conversation focused on some inconsistencies that were noted in the materials submitted by the petitioner, specifically about the applicability of the bylaw. It was also noted that the size of an accessory dwelling unit allowed by the Warrant Article is much larger than examples from the greater Boston area. It was also noted that the ARB and the Select Board are beginning an engagement process on housing and economic development, and perhaps this bylaw is premature. Others thought that due to the close vote in 2019, this amendment might be appropriate to pursue again in 2020. Other comments made included addressing parking, renting at an affordable rate, and limiting the number of permits allowed for accessory dwelling units. It was mentioned that the article is far from being in proper form to be an amendment to the bylaw, and a fair of work

would be needed to make it so. The ARB could prevent it from going forward under the two-year rule this year. David expressed that it would be premature to move forward with this article with broader community conversations on housing pending.

Moving onto Article 38, which is on creating affordable housing on undersized lots, the Working Group discussed this briefly as the petitioner provided limited details on how the amendment would be inserted into the bylaw. One member wouldn't support adding more density into the low density residential districts. It was also noted that this amendment would likely function as an overlay district.

Article 40 is an amendment to create a sideyard sky exposure plane. The Working Group discussed the purpose of the amendment and whether it was to address the mass of new structures or protect solar access. It was noted that state law already protects solar access. The Working Group also discussed the practical effect of the proposal and whether it would even benefit solar installations depending on the orientation of the structure and the roof line. It was noted that there are many exemptions, and that illustrations would help in understanding the bylaw.

The last Warrant Article discussed was Article 32, which seeks to allow more residential uses in the R0 and R1 Districts. Steve, a co-sponsor on this Article, explained that the amendment would allow two-family structures in the R0 and R1 districts, and allow by special permit, six or more units in two-family dwellings or duplex dwelling on one or more contiguous lots in the R0 and R1 districts. There would be no changes to the dimensional tables. Steve explained that goal of the amendment is to address single family zoning as an exclusionary practice, environmental impacts due to congestion, and the housing shortage. The amendment would not prevent the construction of single-family homes. John disputed the environmental benefits, thought that the amendment would increase speculation, and would require additional school space due to additional children. There was some discussion about the fact that families will continue to move to Arlington regardless of the adoption of the amendment.

On the minutes from February 5, Steve made a motion to approve the minutes as amended, and Ralph seconded the motion. The vote was unanimous.

Discussing future meeting dates, the April 1st meeting will be 90 minutes long and the May meeting was rescheduled for May 8th at 9 AM. The forum will be held on May 21st.

Meeting adjourned at 9:45 AM.